

1 Bill No. X-96-10-*04*

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3 **ANNEXATION ORDINANCE NO. X- 02-96**

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AN ORDINANCE annexing certain territory
commonly known as the Poplar Ridge Extended
Voluntary Annexation Area to Fort Wayne and
including the same in Councilmanic District No. 4.

WHEREAS, a petition for voluntary annexation has been
filed with the Common Council; and,

WHEREAS, said petition has been signed by the owners
of more than seventy-five percent (75%) of the total assessed value of the territory
for property tax purposes; and,

WHEREAS, said land described in petition is located
outside of but contiguous to the City of Fort Wayne; and,

WHEREAS, the City of Fort Wayne is desirous of
annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is
hereby annexed to, and made a part of, the corporation of the City of Fort Wayne,
Indiana, to-wit:

Beginning at the Northeast corner of the Plat of Poplar Ridge Addition, as recorded in
Plat Book 20, Page 52 in the Office of the Recorder; thence South 89 deg. 33 min.
West along the North line of Retha Drive as set out in said Plat, a distance of 552.9
feet to the West line of the fractional Southwest Quarter of said Section 6 and being
also the East line of the Westlawn Addition, Section "F" as recorded in Plat Book 23,
Page 119; thence North 00 deg. 00 min. 00 sec. East, a distance of 313.1 feet (313.9
feet, by Deed) to the East right-of-way line of Interstate Highway 69, I-Project 69-4
(13) 105-1959; thence along said East right-of-way North 22 deg. 19 min. East, a

1 distance of 210.7 feet to a point 180.00 feet normal to station 244+00 Line AA@ on
2 said right-of-way; thence North 16 deg. 49 min. 30 sec. East parallel to and 180 foot
3 distant from said Line AA@, a distance of 400.00 feet to station 248 + 00 Line AA@;
4 thence North 13 deg. 20 min. 30 sec. East along said right-of-way a distance of 93.6
5 feet to the South right-of-way line of the Norfolk & Western Railroad (formerly the
6 New York, Chicago and St. Louis Railroad) as situated 47.7 feet Southerly of and
7 normal to the centerline of the East-bound main track of said railroad; thence North
8 89 deg. 23 min. 40 sec. East along the South line of said railroad, a distance of
9 1691.66 feet (1683.8 feet by Deed) to a point on the North line of the Plat of Poplar
10 Ridge Addition, Second Section as recorded in Plat Book 22, Page 140 at a point
11 situated 100 feet Westerly of the most Northerly corner of lot 79 in said addition;
12 thence South 42 deg. 53 min. West along the Northwesterly boundary of said Plat, a
13 distance of 580.00 feet (545 feet by Plat) to the West line of said addition at a point
14 114 feet Northerly of the Northwest corner of Lot 74 in said Plat; thence South 00
15 deg. 16 min. 00 sec. East along the West line of said addition, a distance of 922.94
16 feet to a point North 89 deg. 33 min. East, a distance of 965.70 feet from the
17 Southeast corner of Lot 31 in the Plat of Poplar Ridge Addition; thence South 89 deg.
18 33 min. West and parallel to the South line of said Section 6, a distance of 965.70
19 feet to the Southeast corner of said Lot 31; thence North 00 deg. 00 min. 00 sec.
20 East along the East line of said Plat, a distance of 360.00 feet to the Point of
21 Beginning; and containing 42.207 Acres more or less, subject however to any and all
22 legal easements and rights-of-way of record.

23 Also: Lots numbered 240, 241,242 and 243 in Westlawn, Section AF@ as recorded
24 in Plat Book 23, Page 119, in the Office of the Recorder of Allen County , Indiana and
25 excluding the right-of-way for Interstate Highway 69 in Township 30 North, Range 11
26 East.

27 The boundaries of said territory are those outlined in
28 the location map designated "Poplar Ridge Extended Voluntary Annexation", two
29 copies of which are on file in the office of the Clerk of the City of Fort Wayne and
available for public inspection as required by law.

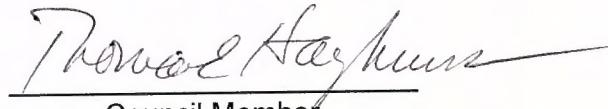
30 SECTION 2. That the City of Fort Wayne will furnish the above
31 described territory within a period of one (1) year from the effective date of
32 annexation, planned services of a non-capital nature, including police protection, fire
33 protection, and street and road maintenance, in a manner which is equivalent in
34 standard and scope to those non-capital services provided to areas within the City of
35 Fort Wayne which have similar topography, patterns of land utilization and population
36

density to the said described territory. The City of Fort Wayne will also provide
1 services of a capital improvement nature, including street construction, street lighting,
2 sewer facilities, water facilities and storm water drainage facilities to the annexed
3 territory within three (3) years of the effective date of annexation, in the same manner
4 as such services are provided to areas already in the City of Fort Wayne with similar
5 topography, patterns of land utilization and population density, and in a manner
6 consistent with federal, state and local laws, procedures and planning criteria.
7

SECTION 3. That governmental and proprietary services will be
8 provided to the above described territory in a manner consistent with the written
9 Fiscal Plan for the territory developed by the Division of Community and Economic
10 Development. Said Plan was examined by the Common Council of the City of Fort
11 Wayne and is approved and adopted by the Common Council by way of a separate
12 Resolution adopted contemporaneously with the passage of this Ordinance.
13

SECTION 4. That said described territory shall be temporarily
14 assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as
15 described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of
16 Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting
17 pursuant to I. C. 36-4-6-3 (g).
18

1 SECTION 5. That, after adoption and any and all necessary approval
2 by the Mayor, due legal publication, and the required sixty (60) day remonstrance
3 period, this Ordinance shall be in full force and effect. The above mentioned territory
4 shall become part of the City of Fort Wayne immediately following the sixty day
5 remonstrance period.

6 
7 Council Member

8 APPROVED AS TO FORM AND LEGALITY
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11 J. TIMOTHY McCAULAY, CITY ATTORNEY
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BEFORE THE COMMON COUNCIL OF THE CITY OF FORT WAYNE

IN RE: THE VOLUNTARY ANNEXATION OF THE POPLAR RIDGE EXTENDED VOLUNTARY ANNEXATION AREA

Come now the undersigned and petition the Common Council of the City of Fort Wayne, pursuant to I.C. 36-4-3-5 for the voluntary annexation of the territory described in Exhibit "A" attached hereto. In support of said petition, the undersigned represent:

- 1) That said land is fifty-six percent (56%) contiguous to the City of Fort Wayne.
- 2) That the undersigned represent the owners of ninety-nine point five percent (99.5%) of the total assessed value of the land for tax purposes.
- 3) The undersigned request that the Common Council adopt an ordinance annexing the area described in Exhibit "A" with the annexation to be effective immediately following the sixty day remonstrance period.

Respectfully submitted:

Date: 10-3-96

By: M. Jack Powell, Jr.

M. Jack Powell, Jr., Property Owner

EXHIBIT "A"

Beginning at the Northeast corner of the Plat of Poplar Ridge Addition, as recorded in Plat Book 20, Page 52 in the Office of the Recorder; thence South 89 deg. 33 min. West along the North line of Retha Drive as set out in said Plat, a distance of 552.9 feet to the West line of the fractional Southwest Quarter of said Section 6 and being also the East line of the Westlawn Addition, Section "F" as recorded in Plat Book 23, Page 119; thence North 00 deg. 00 min. 00 sec. East, a distance of 313.1 feet (313.9 feet, by Deed) to the East right-of-way line of Interstate Highway 69, I-Project 69-4 (13) 105-1959; thence along said East right-of-way North 22 deg. 19 min. East, a distance of 210.7 feet to a point 180.00 feet normal to station 244+00 Line "A" on said right-of-way; thence North 16 deg. 49 min. 30 sec. East parallel to and 180 foot distant from said Line "A", a distance of 400.00 feet to station 248 + 00 Line "A"; thence North 13 deg. 20 min. 30 sec. East along said right-of-way a distance of 93.6 feet to the South right-of-way line of the Norfolk & Western Railroad (formerly the New York, Chicago and St. Louis Railroad) as situated 47.7 feet Southerly of and normal to the centerline of the East-bound main track of said railroad; thence North 89 deg. 23 min. 40 sec. East along the South line of said railroad, a distance of 1691.66 feet (1683.8 feet by Deed) to a point on the North line of the Plat of Poplar Ridge Addition, Second Section as recorded in Plat Book 22, Page 140 at a point situated 100 feet Westerly of the most Northerly corner of lot 79 in said addition; thence South 42 deg. 53 min. West along the Northwesterly boundary of said Plat, a distance of 580.00 feet (545 feet by Plat) to the West line of said addition at a point 114 feet Northerly of the Northwest corner of Lot 74 in said Plat; thence South 00 deg. 16 min. 00 sec. East along the West line of said addition, a distance of 922.94 feet to a point North 89 deg. 33 min. East, a distance of 965.70 feet from the Southeast corner of Lot 31 in the Plat of Poplar Ridge Addition; thence South 89 deg. 33 min. West and parallel to the South line of said Section 6, a distance of 965.70 feet to the Southeast corner of said Lot 31; thence North 00 deg. 00 min. 00 sec. East along the East line of said Plat, a distance of 360.00 feet to the Point of Beginning; and containing 42.207 Acres more or less, subject however to any and all legal easements and rights-of-way of record.

Read the first time in full and on motion by Say Lurst, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on Wednesday, the 20th day of October, 1996, at 6:30 o'clock M., E.S.T.

DATED: 10-8-96

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Say Lurst, and duly adopted, placed on its passage. PASSED LOST by the following vote:

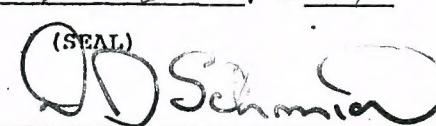
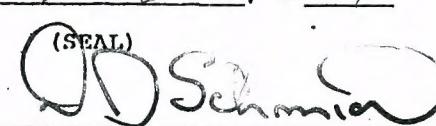
	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS				<u>✓</u>
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED: 10-22-96

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. X-02-96
on the 22nd day of October, 1996

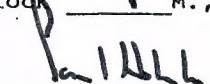
ATTEST:

Sandra E. Kennedy 
SANDRA E. KENNEDY, CITY CLERK  PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1996, at the hour of 10:30 o'clock M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 24th day of October, 1996, at the hour of 6:00 o'clock M., E.S.T.


PAUL HELMKE, MAYOR

BILL NO. X-96-10-04

REPORT OF THE COMMITTEE ON
REGULATIONS
REBECCA J. RAVINE - THOMAS E. HAYHURST - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (REXXXXXX) annexing certain territory
commonly known as the Poplar Ridge Extended Voluntary Annexation Area
to Fort Wayne and including the same in Councilmanic District No. 4

HAVE HAD SAID (ORDINANCE) (REXXXXXX) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (REXXXXXX)

Thomas Heyburn
Alice Davis
Mark D. Beck
Army Corp
OSD
Mark D. Beck
Richie Hayes
Debbie Hall

DATED: 10-22-96

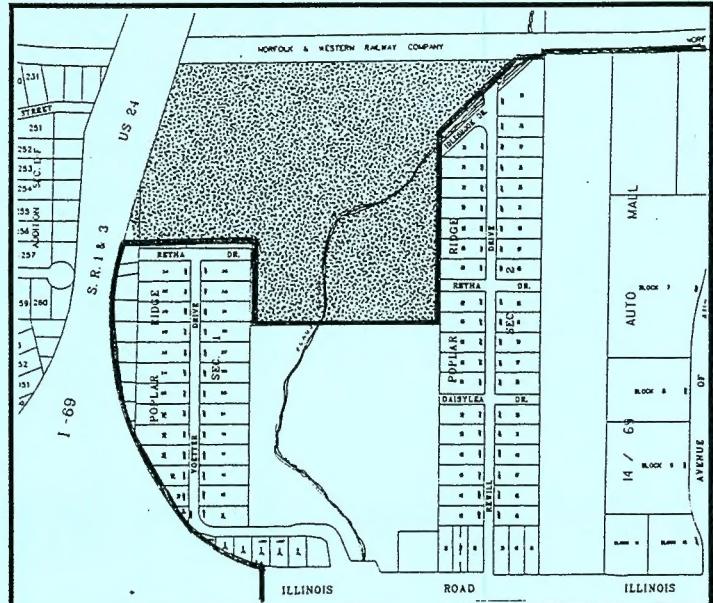
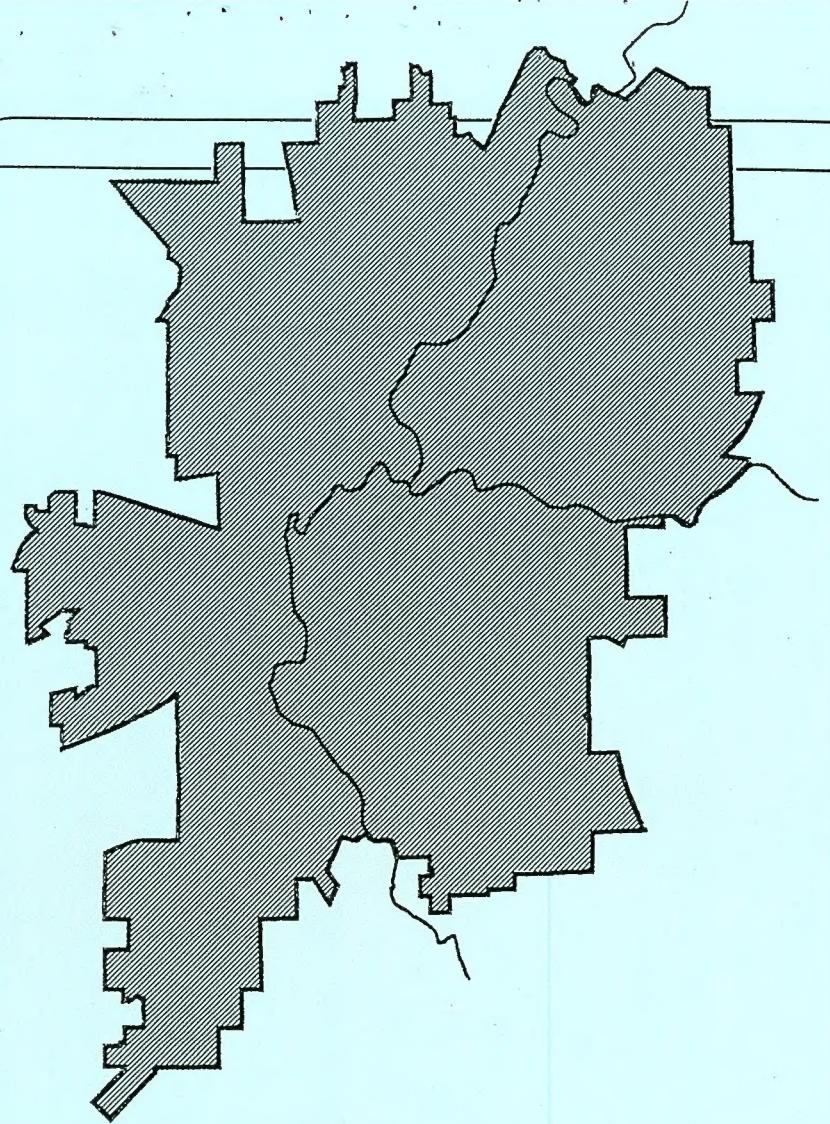
Sandra E. Kennedy
City Clerk

FISCAL PLAN

CITY OF FORT WAYNE
Paul Helmke, Mayor

October 1996

Poplar Ridge
Extended
Voluntary
Annexation



ADMINISTRATION AND POLICY DIRECTION

**Paul Helmke
Mayor
City of Fort Wayne**

**W. Gregg LaMar
Director
Division of Community and Economic Development**

**Gary Stair
Director of Planning**

RESEARCH AND PREPARATION
Pamela Holocher, Senior Planner
Kristi Sturtz, Planner I

INTRODUCTION

During the Fall of 1995, a request was made to the city for the voluntary annexation of an area located directly north of the Poplar Ridge subdivision off Illinois Road, east of I-69 and south of the Norfolk and Western Railway. This area is approximately 42 acres in size and currently undeveloped. The land is predominately zoned for light industrial use. M. Jack Powell, Jr. owns this tract of land and plans on attracting shopping center or office building development at some time in the future.

The Poplar Ridge Extended Voluntary Annexation satisfies the criteria of the Indiana State Statutes. This plan describes the area to be annexed and summarizes the financial impact this annexation will have on the city.

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SECTION ONE

BASIC DATA

A. LOCATION

The area proposed for annexation is located west of the city, north of the Poplar Ridge Subdivision off Illinois Road, east of I-69 and south of the Norfolk and Western Railway (see Figure 1).

B. SIZE

The Poplar Ridge Extended Voluntary Annexation area is approximately 42 acres.

C. POPULATION

The Poplar Ridge Extended Voluntary Annexation currently has a population of zero persons. Due to the anticipated commercial development in this area, it is projected that the population will remain at zero persons.

D. LAND USE

Presently, the land is vacant. However, the property owner has plans on attracting shopping center or office building development directed toward the I-69 Interchange.

E. ZONING

The Poplar Ridge Extended Voluntary Annexation area currently contains two zoning classifications (see Figure 2). Upon annexation, this area will be under the jurisdiction of the City Plan Commission and the zoning classifications will be as follows:

County Zoning Classification

RS1: Suburban Residential
C1B(P): Planned Business and Technology

City Zoning Classification

R1: Single Family Residence
M1: Light Industrial

F. TOPOGRAPHY

The Poplar Ridge Extended Voluntary Annexation area contains the following soils: Blount silt loam (BmA), Eel silt loam (Es), Morley silt loam (MrB2, MrC2, MrD2), and Rawsom loam (R1B2). It has been determined by using the U.S. Geological Survey maps that this area is predominately at a 0 to 2 percent slope. The highest point in this area is 815 feet and the lowest point is 795 feet.

G. ASSESSMENT

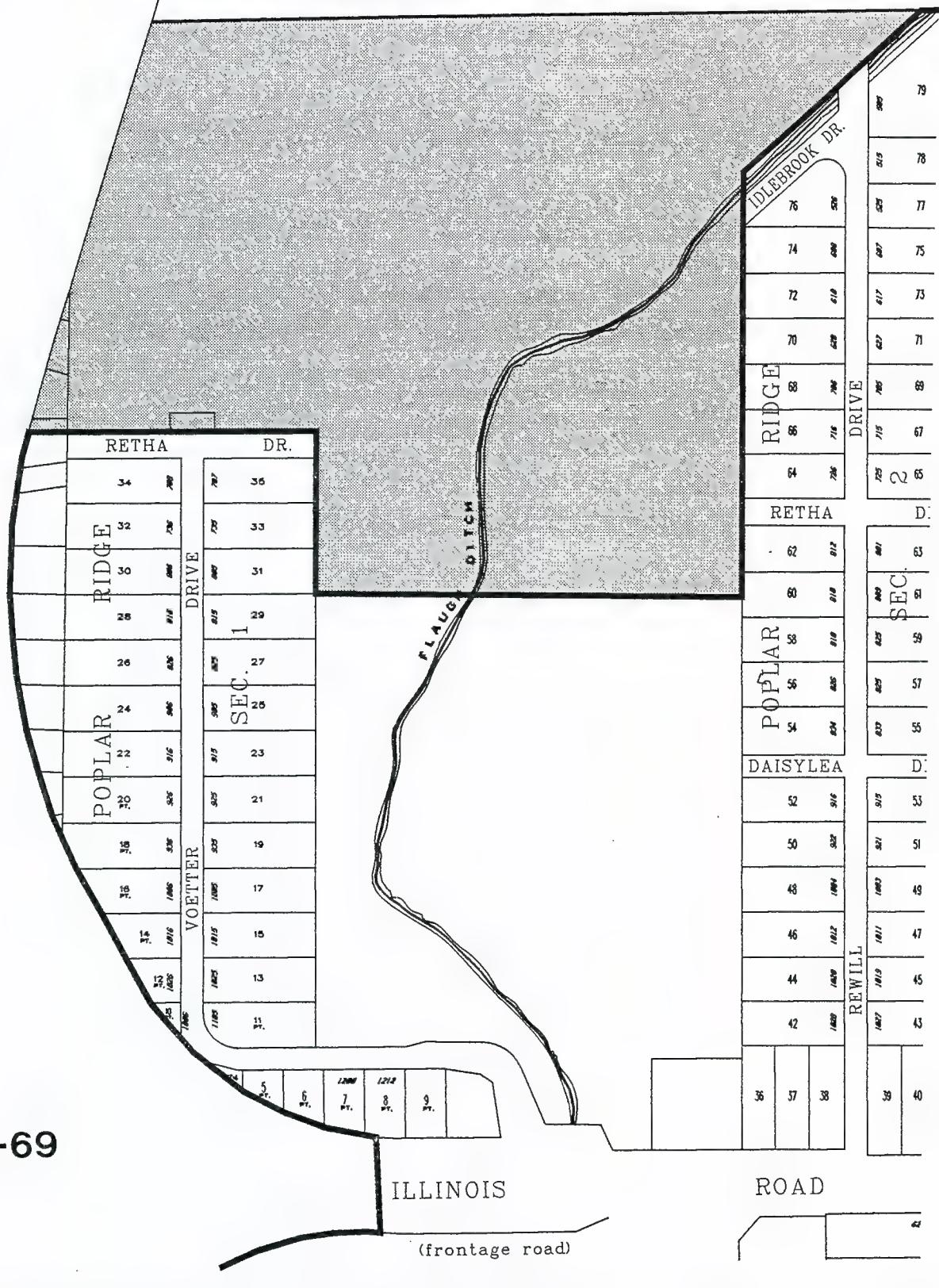
\$53,341

H. NET TAX RATE: (1995 payable 1996 rates)

Existing: (30 Wayne Transit)	\$6.7096
After annexation: (96 Ft. Wayne Fire District)	\$8.3857
Increase:	\$1.6761 (24.98%)

I. COUNCIL DISTRICT

The Poplar Ridge Extended Annexation area will be in City Council District 4, subject to any later statutorily-required reapportionment.



POPLAR RIDGE EXTENDED
ANNEXATION AREA

— Existing City Limits



05-FEB-1996

Figure 1



POPLAR RIDGE EXTENDED ZONING

 RS-1 Suburban Residential
 C-1B (P) Planned
Business and Technology



SECTION TWO

THE COMPREHENSIVE ANNEXATION PROGRAM

The voluntary annexation of the Poplar Ridge Extended area is part of a larger, comprehensive annexation program prepared by the Department of Community Development and Planning, which was promulgated in a report in 1975 and which was consequently updated in 1976. The Annexation Policy and Program Study was the culmination of a year and a half of extensive study and is used as a policy guide for the city's annexation program. The report recommends that "all urban land contiguous to the city limits should become part of the city" as should "all non-urban land required to complement the annexation of urban land and provide the ability to control and manage urban growth". Because the Poplar Ridge Extended area met this criteria in 1975-76, the report identified it as part of a larger area which was recommended for annexation.

SECTION THREE

STATE LAW REQUIREMENTS

State Law stipulates that if an area is one-eighth contiguous to the city, it can be annexed voluntarily if 51 percent of the property owners in the territory sought to be annexed, or if owners of 75 percent of the total assessed value of the land petition for an ordinance to annex the area.

The Poplar Ridge Extended area meets the contiguity requirement in that over one-eighth (12.5%) of its boundaries are contiguous to the City of Fort Wayne, being 56 percent contiguous to the city boundaries (see Figure 3). The area also meets the second requirement, in that the property owner petitioning for annexation owns 99.5 percent of the total assessed value of the area. Therefore, the Poplar Ridge Extended Annexation complies with the relevant state law requirements.

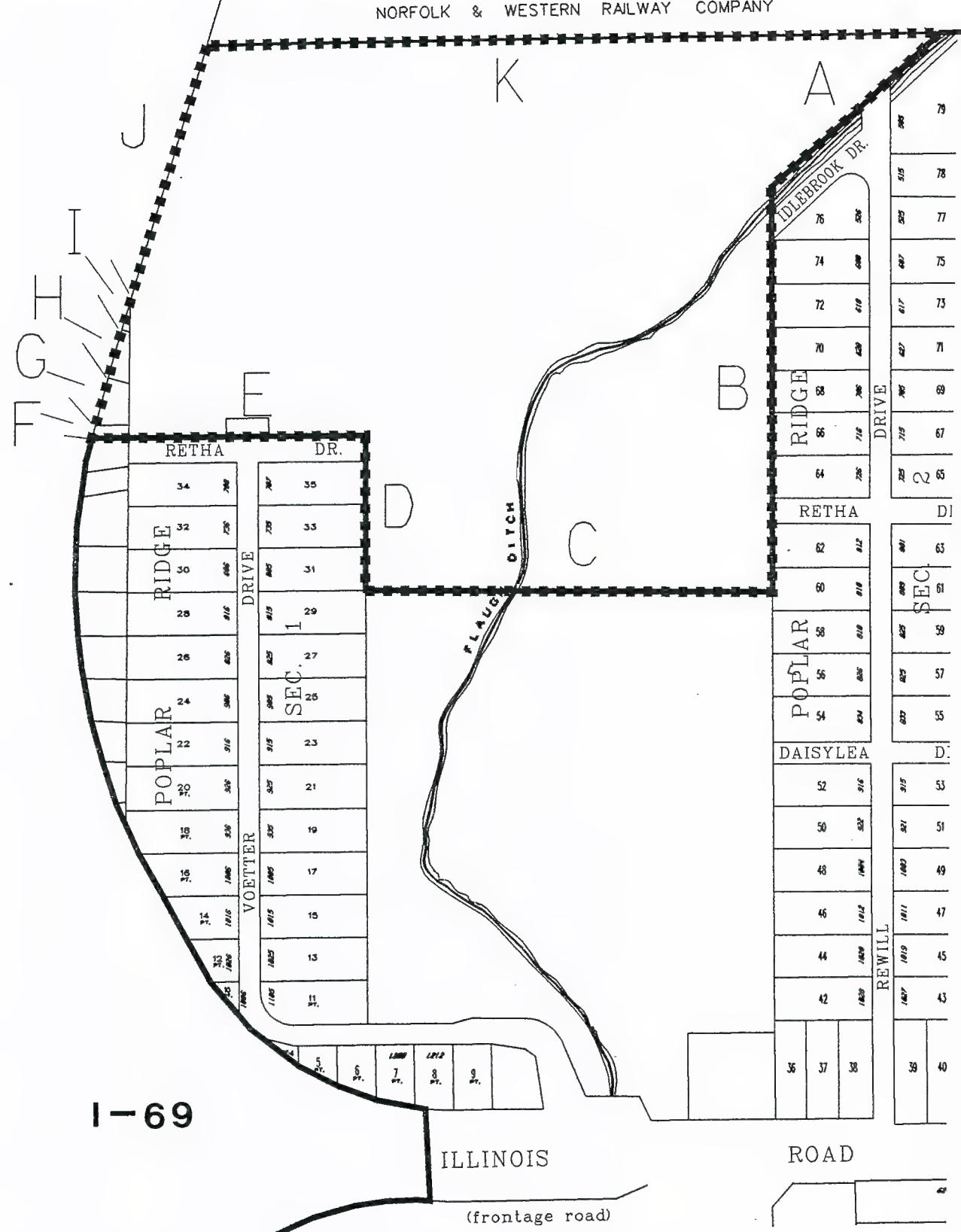


Figure 3



05-FEB-1996

SECTION FOUR

MUNICIPAL SERVICES

This section of the Fiscal Plan forecasts the costs and methods of financing services for the Poplar Ridge Extended Annexation area. The plan also describes how and when the city plans to extend the services which are non-capital and capital in nature. The following section demonstrates how the city will satisfy the requirements of Indiana State Law in provision of services and financing of same in an equitable manner.

As required by state law, the annexation area will receive planned services of non-capital nature in a manner equivalent in standard and scope to those non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density. In addition, the annexation area will receive services of a capital improvement nature in the same manner as those services are provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density.

All services both of a non-capital nature and of a capital improvement nature described in subsequent subsections of the Municipal Services Section will be provided to the Poplar Ridge Extended Annexation area in a manner equivalent in standard and scope to those capital and non-capital services provided to areas within the city.

A. POLICE DEPARTMENT

The services provided by the Fort Wayne Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, resolution of day-to-day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is involved in legal work and protection of constitutional rights. Lastly, the Police Department performs traffic control, promotes civil order and provides educational and technical assistance in the area of crime prevention and neighborhood services.

Upon annexation, the Poplar Ridge Extended Annexation area will be incorporated into Police District "C". The Police Department keeps tabulations on the amount of personnel and equipment necessary for the city's annexation program, and has determined that additional personnel and equipment are not required for this particular annexation.

The cost to provide protection to the annexation area will be approximately \$211.68 per year. This cost is based on a patrolman's average hourly rate of \$22.40 multiplied by an estimated 45 minutes spent per call. This amount is then multiplied by the estimated number of calls (12 per year) for service to this area. This total, which equals \$201.60 is the direct personnel cost. A small non-personnel cost of 5 percent is then added to the above total. This gives the overall cost

of approximately \$211.68 annually to service the annexation area. Funding for police services in the annexation area will come from the Civil City budget of the Police Department which is derived primarily from local property taxes through the General Fund.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$211.68

B. FIRE PROTECTION

This annexation area is located within the Southwest Allen County Fire District. As a result, the city is unable to receive any tax revenues at this time for fire protection services. Therefore, the city of Fort Wayne does not anticipate providing fire protection services to the proposed annexation area unless such services are required as a result of any mutual aid agreement between the Southwest Allen County Fire District and the City of Fort Wayne. Like other property owners outside of city limits, the owners of property within the annexed area may contract for fire protection services. Such contract for fire protection services would require separate Common Council approval. The present policy of the City of Fort Wayne is to set the price for such contracted fire protection services at an amount equal to the assessed value of the area to be protected times that portion of the city tax rate related to fire services, unless the property is owned by another governmental entity such as a school corporation.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

C. EMERGENCY MEDICAL SERVICE (EMS)

At the present time, the Three Rivers Ambulance Authority is the provider of ambulance service for the city. Properties in the Poplar Ridge Extended Annexation area will receive full advanced life support ambulance service immediately upon annexation.

A number of ambulances are stationed throughout the city 24 hours a day. Upon receiving a request for service from the annexation area, the ambulance closest to the area will be dispatched to the annexation area. For some emergencies, such as heart attacks, the Southwest Allen County Fire District will provide extra assistance.

The method of financing emergency medical services is based on user fees. The charges for ambulance service are shown on the following page:

Table 1

1. \$182 plus \$6.50 per loaded mile for non-emergency transfers scheduled 24 hours in advance.
2. \$244 plus \$6.50 per loaded mile for non-scheduled non-emergency transfers
3. \$529 plus \$8 for emergencies for all city and non-city residents plus a \$67 fee for emergency response.

This method of financing permits service to be extended to the annexation area with its existing budget. No additional manpower or equipment will be needed to service the annexation area.

ESTIMATED ANNUAL COST: \$ 0

D. SOLID WASTE DISPOSAL

The Solid Waste Department oversees the collection of garbage, yard waste, and non-Freon white goods, and the curbside recycling program. These services are provided by the city through a contract with National Serv-all, Browning-Ferris Industries, and Appliance Recycling Centers of America, Inc. (ARCA). Currently, this service is paid for through a \$6.50 per month user fee per single family household.

In addition, the Solid Waste Department oversees the composting program at 5510 Lake Avenue. Residents can take up to 1/2 ton of yard waste to the composting site at no charge. The city also contracts with Appliance Recycling Centers of America, Inc. (ARCA) to pick up illegally dumped Freon appliances. Residents will be able to contact ARCA for collection and recycling of their Freon appliances for \$35.00 per appliance.

The City of Fort Wayne will not provide garbage, curbside recycling, or yard waste collection services to this area if it is commercially developed. Any commercial property must contract with a private hauler.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

E. TRAFFIC CONTROL

Some of the services that are provided by the Traffic Engineering Department are surveys and investigations of traffic conditions and problems, as well as the installation and maintenance of traffic control devices such as stop lights, control signs, and fire alarm systems. If public streets

are developed, the city will provide traffic control. However, the city's Traffic Engineering Department will have no responsibility for traffic control if the area is privately developed.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

F. STREETS AND ROADS

The incorporation of the Poplar Ridge Extended Annexation area will not add any streets to the city's street system. However, the Street Engineering Department will provide engineering services relative to transportation needs.

The Fort Wayne Street Department is responsible for the general maintenance of all legal streets and street right-of-ways, if any, within the annexation area immediately after the annexation. General maintenance includes snow and ice removal, street sweeping, minor ditch maintenance, right-of-way mowing, leaf pick-up, guard rail repair, and surface maintenance. The provision of services to this area will not require any additional equipment or personnel.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

G. PARKS AND RECREATION

Residents of the proposed annexation area will have access to city park facilities such as swimming pools, baseball diamonds, picnic facilities, golf courses, indoor and outdoor skating facilities, etc. Other recreational activities including day camp, athletic leagues, youth sports, senior citizen activities, special events, cultural arts, and instructional programs are currently available to all city residents. Most of these services are offered on a fee for service basis, with non-residents paying a higher fee. Once annexed, the residents of the Poplar Ridge Extended area would pay the resident fee.

Due to the proximity of the Lindenwood, Rockhill, West Swinney, and East Swinney Parks, there is no need for additional open space in this area at this time. Lindenwood Environmental Study Area, a 110 acre special recreation area has picnicking, a pond and hiking trails. Rockhill Park, a 28 acre neighborhood park, has basketball, ball diamonds, pavilions, picnicking, and playgrounds. East and West Swinney Parks are community parks with fishing, gardens, swimming, the River Greenway trail, the Tennis Center, basketball, pavilions, picnicking, and ball

fields. All of these facilities, plus over 2,000 acres of public park lands with programs for all ages, are available to the residents of this area to be annexed.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

H. WATER

Currently, there is no water service to the proposed annexation area. The property owner would need to submit a development plan or an approval of engineering plan to initiate the process of obtaining water service. The property owner must also finance the cost of installation on either a cash basis, or with a mechanism similar to Barrett Bonding. The bonding procedure permits property owners to spread their payments for the installation costs over a ten year period.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

I. FIRE HYDRANTS

There are currently no fire hydrants in the proposed annexation area. Therefore, no billing for hydrants would be initiated because of this annexation.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

J. SANITARY SEWERS

Although no properties within the annexation area are hooked into city sewer, the Fort Wayne Department of Water Pollution Control (WPC) has sanitary sewers that run through the annexation area to service the Lincoln Industrial Park northeast of the annexation area. Service would be provided to property owners as soon as they apply for a tap permit for existing sewer lines or contract with the utility for a main line extension. The Water Pollution Control Department will provide engineering services as needed for additional sanitary sewers. If additional sanitary sewer service is desired, the city's Water Pollution Control Department has the capability to provide this service. However, property owners will first have to petition to the Board of Public Works. Property owners will also have to pay for such a service. Upon annexation, property owners will

be able to take advantage of the Barrett Bonding process which permits property owners to make long-term, low interest payments for their sewers.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

K. STORM SEWERS

Upon annexation, maintenance and operation services will be provided to those components of the area's storm drainage system, if any, that become part of the municipal system. This would include public storm sewers meeting City of Fort Wayne construction standards, and ditches that have been petitioned for and accepted by the Board of Stormwater Management for maintenance by the Utility. There is no inventory indicating which drainage lines or structures fall into this category at this time. The source of revenue City Utilities utilizes for providing these services will be user fees.

When in the city, property owners can contact the Utility's maintenance or engineering departments for information on which segments would be considered municipal lines. Property owner(s) can petition the Board of Stormwater Management for storm drainage improvements.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

L. STREET LIGHTING

It is the goal of the City of Fort Wayne Street Lighting Department to light every unlit intersection within the city limits to reduce night accidents, facilitate traffic flow, aid police protection, and inspire community spirit and growth. If public streets are developed, the city will maintain and pay energy costs for lights put in by the developer. However, if all streets within the area are private, the city will not purchase or install intersection lighting within the Poplar Ridge Extended Annexation area.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$0

M. ANIMAL CONTROL

The Fort Wayne Department of Animal Control will provide various services to the Poplar Ridge Extended Annexation area immediately upon the effective date of annexation. The services this department will provide include, but are not limited to, the sheltering of stray animals, response

to animal complaints and emergencies, 24-hour service (seven days a week including holidays), canvassing for unconfined strays, trap rental, pet adoption, and a humane education program.

It was determined by the Animal Control Department that due to the size of the area, the projected operating cost per year will be negligible. The number of existing field and animal care staff are capable of handling the additional work load presented by this area. Therefore, no additional officers will be required.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$0

N. ADMINISTRATIVE SERVICES

All administrative functions of the city will be available to the Poplar Ridge Extended Annexation area immediately upon the date of annexation. These services include, but are not limited to, the Law Department, the City Plan Commission, the Mayor's Office, the Board of Works, the Metropolitan Human Relations Department, the City Clerk's Office, the Citizen's Advocate Office, etc. General administration includes all of the regulatory and program functions of the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly.

CAPITAL COST: \$ 0
ESTIMATED ANNUAL COST: \$ 0

SECTION FIVE

PLAN FOR HIRING GOVERNMENTAL EMPLOYEES DISPLACED BY ANNEXATION

It is not anticipated that due to the annexation of the Poplar Ridge Extended area, any governmental employees will be eliminated from other governmental agencies. However, if any governmental employee is displaced as a result of this annexation and makes application with the City of Fort Wayne for employment within thirty days after displacement, such employee will be treated as if the employee were a city employee on "lay-off" status for purposes of hiring for any vacant position similar to the government position from which the individual was displaced.

SECTION SIX

FINANCIAL SUMMARY AND RECOMMENDATION

The purpose of this section is to project the revenues and expenditures from the proposed Poplar Ridge Extended Annexation. This section also provides a five-year summary of the expenditures compared with the revenues.

A. REVENUES

Property taxes are the main source of revenue to be received from the Poplar Ridge Extended Voluntary Annexation area. Property taxes are computed from the gross amount of assessed valuation in the area and can be obtained from the Office of the Wayne Township Assessor and the Office of the Aboite Township Assessor. The formula for computing tax revenue is shown in the following table:

Table 2
TAX REVENUE FORMULA

$$\frac{V-E}{100} (T) = TR$$

WHERE:

V = Assessed Valuation

E = Home Mortgage Exemption (\$3,000)

T = City Tax Rate

TR = Tax Return

The total assessed valuation of the Poplar Ridge Extended Annexation is \$53,341. This figure has been pro-rated by including only 58% of the value of the largest piece of property in the annexation area. The reason for this calculation is that the specified property was split by the Poplar Ridge Annexation which came into effect at the end of 1995. In the Poplar Ridge Annexation fiscal plan, 42% of value of this property was included in the total assessed value.

The property tax can then be determined by applying the most current city tax rate \$2.0505 (1995 payable 1996 without Fire and Fire Pension), to the total assessed valuation (\$53,341) giving a total property tax revenue of \$1093. Table 3 details the components of the 1995 payable 1996 tax rate. Using a 4.0 percent rate of inflation, the property tax revenue for 1998, the first year that

taxes would be due in the Poplar Ridge Extended Annexation area, would be \$1182. A portion of this revenue would be supplied from the State Property Tax Relief Fund.

Future development of this area will increase the assessed value of the property. However, given the uncertainty of development in the annexation area, it is impossible to make a good estimate of the revenue to be generated from this area in the future.

This annexation will not enable the city to receive additional money from the Motor Vehicle Highway (MVH) and Local Roads and Streets (LR&S) funds since there are no streets within the annexation area.

Table 3

TAXING DISTRICT RATE

Corporation General	\$1.3425
Corporation Debt Service	.1882
Police Pension	.1209
Sanitary Officers Pension	.0168
Park General	.3408
Redevelopment General	.0144
Community Services	.0004
Special Solid Waste Mgt.	.0265
Total	\$2.0505

In addition to property taxes, the city receives revenues from the Community Development Block Grant, the Cigarette Tax, the County Option Income Tax (COIT), the County Economic Development Income Tax (CEDIT), and the Alcoholic Beverage Tax. Some of these grants and funds are based in part on the City's population. Since population is only one element of a very complex distribution formula, the direct contribution of the Poplar Ridge Extended Annexation cannot be calculated. Still, most of these funds will increase with city population increases.

B. EXPENDITURES

Expenditures that were reported in the section on Municipal Services are summarized in Table 4. Capital costs are one time expenditures, while operating costs are continuing expenses. Since the needs of the annexation area must be treated equally with the needs of other similar areas in Fort Wayne, capital improvement projects, such as construction of streets, curbs, and sidewalks, must follow routine City procedures which often require petitioning. On the following page, Table 4

details the costs that will be incurred by each department upon the annexation of the Poplar Ridge Extended Area.

Table 4

EXPENDITURES

Departments	Capital Costs	Operating Costs
Police	\$0	\$212
Fire	\$0	\$0
EMS	\$0	\$0
Solid Waste Disposal	\$0	\$0
Traffic Control	\$0	\$0
Streets	\$0	\$0
Parks	\$0	\$0
Water	\$0	\$0
Fire Hydrants	\$0	\$0
Sanitary Sewer	\$0	\$0
Storm Sewer	\$0	\$0
Street Lighting	\$0	\$0
Animal Control	\$0	\$0
Administrative Functions	\$0	\$0
Total	\$0	\$212

C. FIVE YEAR SUMMARY

The Five Year Summary shows the projected expenditures compared with the tax revenues expected in the Poplar Ridge Extended Voluntary Annexation area for the first five years after it is incorporated into the City of Fort Wayne. The summary automatically includes for each of the five years a 4 percent inflation factor for capital expenditures and operating costs, and a 4 percent increase factor for city revenues.

Property tax revenue from the annexation area will not be collected until 1998. Assuming the area is annexed immediately following the sixty day remonstrance period, assessment will not occur

until March of 1997, with revenues being collected in 1998. The city would be providing services for a full year in 1997 prior to taxes being collected in 1998. Since revenues will not be collected until 1998, the city will experience a loss of \$220 in 1997. On the following page, Table 5 details the revenues minus the expenses for the Poplar Ridge Extended area for a 5 year period.

Table 5

REVENUES MINUS EXPENSES

Year	Property Expenditures	Tax Revenue	MVH & LR&S	Balance
1997	\$220	\$0	\$0	-\$220
1998	\$229	\$1,182	\$0	\$953
1999	\$238	\$1,229	\$0	\$991
2000	\$248	\$1,279	\$0	\$1,031
2000	\$258	\$1,330	\$0	\$1,072
Totals	\$1,193	\$5,020	\$0	\$3,827

D. RECOMMENDATIONS

This Fiscal Plan, which meets the state law requirements that a fiscal plan be prepared, shows that the Poplar Ridge Extended Voluntary Annexation is in accordance with the applicable state statutes. Therefore, it is recommended that after the passage of the annexation ordinance and its approval by the Mayor, this area should be annexed by the City of Fort Wayne immediately after the sixty day remonstrance period.

Poplar Ridge Extended Legal Description

Beginning at the Northeast corner of the Plat of Poplar Ridge Addition, as recorded in Plat Book 20, Page 52 in the Office of the Recorder; thence South 89 deg. 33 min. West along the North line of Retha Drive as set out in said Plat, a distance of 552.9 feet to the West line of the fractional Southwest Quarter of said Section 6 and being also the East line of the Westlawn Addition, Section "F" as recorded in Plat Book 23, Page 119; thence North 00 deg. 00 min. 00 sec. East, a distance of 313.1 feet (313.9 feet, by Deed) to the East right-of-way line of Interstate Highway 69, I-Project 69-4 (13) 105-1959; thence along said East right-of-way North 22 deg. 19 min. East, a distance of 210.7 feet to a point 180.00 feet normal to station 244 +00 Line "A" on said right-of-way; thence North 16 deg. 49 min. 30 sec. East parallel to and 180 foot distant from said Line "A", a distance of 400.00 feet to station 248 + 00 Line "A"; thence North 13 deg. 20 min. 30 sec. East along said right-of-way a distance of 93.6 feet to the South right-of-way line of the Norfolk & Western Railroad (formerly the New York, Chicago and St. Louis Railroad) as situated 47.7 feet Southerly of and normal to the centerline of the East-bound main track of said railroad; thence North 89 deg. 23 min. 40 sec. East along the South line of said railroad, a distance of 1691.66 feet (1683.8 feet by Deed) to a point on the North line of the Plat of Poplar Ridge Addition, Second Section as recorded in Plat Book 22, Page 140 at a point situated 100 feet Westerly of the most Northerly corner of lot 79 in said addition; thence South 42 deg. 53 min. West along the Northwesterly boundary of said Plat, a distance of 580.00 feet (545 feet by Plat) to the West line of said addition at a point 114 feet Northerly of the Northwest corner of Lot 74 in said Plat; thence South 00 deg. 16 min. 00 sec. East along the West line of said addition, a distance of 922.94 feet to a point North 89 deg. 33 min. East, a distance of 965.70 feet from the Southeast corner of Lot 31 in the Plat of Poplar Ridge Addition; thence South 89 deg. 33 min. West and parallel to the South line of said Section 6, a distance of 965.70 feet to the Southeast corner of said Lot 31; thence North 00 deg. 00 min. 00 sec. East along the East line of said Plat, a distance of 360.00 feet to the Point of Beginning; and containing 42.207 Acres more or less, subject however to any and all legal easements and rights-of-way of record.

Also: Lots numbered 240, 241, 242 and 243 in Westlawn, Section "F" as recorded in Plat Book 23, Page 119, in the Office of the Recorder of Allen County, Indiana and excluding the right-of-way for Interstate Highway 69 in Township 30 North, Range 11 East.

Bill No. X-96-10-04

RECORDED
02/18/1999 12:34:59
RECORDER
PATRICIA J CRICK
ALLEN COUNTY, IN

ANNEXATION ORDINANCE NO. X-02-96

AN ORDINANCE annexing certain territory commonly known as the Poplar Ridge Extended Voluntary Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

WHEREAS, a petition for voluntary annexation has been filed with the Common Council; and,

WHEREAS, said petition has been signed by the owners of more than seventy-five percent (75%) of the total assessed value of the territory for property tax purposes; and,

WHEREAS, said land described in petition is located outside of but contiguous to the City of Fort Wayne; and,

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Beginning at the Northeast corner of the Plat of Poplar Ridge Addition, as recorded in Plat Book 20, Page 52 in the Office of the Recorder; thence South 89 deg. 33 min. West along the North line of Retha Drive as set out in said Plat, a distance of 552.9 feet to the West line of the fractional Southwest Quarter of said Section 6 and being also the East line of the Westlawn Addition, Section "F" as recorded in Plat Book 23, Page 119; thence North 00 deg. 00 min. 00 sec. East, a distance of 313.1 feet (313.9

feet, by Deed) to the East right-of-way line of Interstate Highway 69, I-Project 69-4 (13) 105-1959; thence along said East right-of-way North 22 deg. 19 min. East, a distance of 210.7 feet to a point 180.00 feet normal to station 244+00 Line AA@ on said right-of-way; thence North 16 deg. 49 min. 30 sec. East parallel to and 180 foot distant from said Line AA@, a distance of 400.00 feet to station 248 + 00 Line AA@; thence North 13 deg. 20 min. 30 sec. East along said right-of-way a distance of 93.6 feet to the South right-of-way line of the Norfolk & Western Railroad (formerly the New York, Chicago and St. Louis Railroad) as situated 47.7 feet Southerly of and normal to the centerline of the East-bound main track of said railroad; thence North 89 deg. 23 min. 40 sec. East along the South line of said railroad, a distance of 1691.66 feet (1683.8 feet by Deed) to a point on the North line of the Plat of Poplar Ridge Addition, Second Section as recorded in Plat Book 22, Page 140 at a point situated 100 feet Westerly of the most Northerly corner of lot 79 in said addition; thence South 42 deg. 53 min. West along the Northwest boundary of said Plat, a distance of 580.00 feet (545 feet by Plat) to the West line of said addition at a point 114 feet Northerly of the Northwest corner of Lot 74 in said Plat; thence South 00 deg. 16 min. 00 sec. East along the West line of said addition, a distance of 922.94 feet to a point North 89 deg. 33 min. East, a distance of 965.70 feet from the Southeast corner of Lot 31 in the Plat of Poplar Ridge Addition; thence South 89 deg. 33 min. West and parallel to the South line of said Section 6, a distance of 965.70 feet to the Southeast corner of said Lot 31; thence North 00 deg. 00 min. 00 sec. East along the East line of said Plat, a distance of 360.00 feet to the Point of Beginning; and containing 42.207 Acres more or less, subject however to any and all legal easements and rights-of-way of record.

Also: Lots numbered 240, 241,242 and 243 in Westlawn, Section AF@ as recorded in Plat Book 23, Page 119, in the Office of the Recorder of Allen County , Indiana and excluding the right-of-way for Interstate Highway 69 in Township 30 North, Range 11 East.

The boundaries of said territory are those outlined in the location map designated "Poplar Ridge Extended Voluntary Annexation", two copies of which are on file in the office of the Clerk of the City of Fort Wayne and available for public inspection as required by law.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in

standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and storm water drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by way of a separate Resolution adopted contemporaneously with the passage of this Ordinance.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, due legal publication, and the required sixty (60) day remonstrance period, this Ordinance shall be in full force and effect. The above mentioned territory shall become part of the City of Fort Wayne immediately following the sixty day remonstrance period.

Thomas E. Hayhurst
Council Member

Read the third time in full and on motion by Hayhurst, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight

Bender, Crawford, Hall, Hayhurst,
Henry, Lunsey, Ravine, Schmidt

NAYS: None

ABSTAINED: None

ABSENT: One

Edmonds

DATED: 10-22-96

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as No. on the 22nd day of October, 1996

ATTEST:

Sandra E. Kennedy
City Clerk

SEAL

D.J. Schmidt
Presiding Officer

Attest:

The above and foregoing is a true and perfect copy of Bill No. X-96-10-04
Connection Ordinance No. X-02-96
as the same appears and remains on record in my office.

Witness my hand and seal this 1st
day of February 1999
Sandra E. Kennedy
CLERK

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1996, at the hour of 10:30 o'clock A.M.,E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 24th day of October, 1996, at the hour of 6:00 o'clock P.M.,E.S.T.

Paul Helmke
Mayor

ANNEXATION ORDINANCE NO. X-02-96

AN ORDINANCE annexing certain territory commonly known as the Poplar Ridge Extended Voluntary Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

WHEREAS, a petition for voluntary annexation has been filed with the Common Council; and,

WHEREAS, said petition has been signed by the owners of more than seventy-five percent (75%) of the total assessed value of the territory for property tax purposes; and,

WHEREAS, said land described in petition is located outside of but contiguous to the City of Fort Wayne; and,

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Beginning at the Northeast corner of the Plat of Poplar Ridge Addition, as recorded in Plat Book 20, Page 52 in the Office of the Recorder; thence South 89 deg. 33 min. West along the North line of Retha Drive as set out in said Plat, a distance of 552.9 feet to the West line of the fractional Southwest Quarter of said Section 6 and being also the East line of the Westlawn Addition, Section "F" as recorded in Plat Book 23, Page 119; thence North 00 deg. 00 min. 00 sec. East, a distance of 313.1 feet (313.9

feet, by Deed) to the East right-of-way line of Interstate Highway 69, I-Project 69-4 (13) 105-1959; thence along said East right-of-way North 22 deg. 19 min. East, a distance of 210.7 feet to a point 180.00 feet normal to station 244+00 Line AA@ on said right-of-way; thence North 16 deg. 49 min. 30 sec. East parallel to and 180 foot distant from said Line AA@, a distance of 400.00 feet to station 248 + 00 Line AA@; thence North 13 deg. 20 min. 30 sec. East along said right-of-way a distance of 93.6 feet to the South right-of-way line of the Norfolk & Western Railroad (formerly the New York, Chicago and St. Louis Railroad) as situated 47.7 feet Southerly of and normal to the centerline of the East-bound main track of said railroad; thence North 89 deg. 23 min. 40 sec. East along the South line of said railroad, a distance of 1691.66 feet (1683.8 feet by Deed) to a point on the North line of the Plat of Poplar Ridge Addition, Second Section as recorded in Plat Book 22, Page 140 at a point situated 100 feet Westerly of the most Northerly corner of lot 79 in said addition; thence South 42 deg. 53 min. West along the Northwesterly boundary of said Plat, a distance of 580.00 feet (545 feet by Plat) to the West line of said addition at a point 114 feet Northerly of the Northwest corner of Lot 74 in said Plat; thence South 00 deg. 16 min. 00 sec. East along the West line of said addition, a distance of 922.94 feet to a point North 89 deg. 33 min. East, a distance of 965.70 feet from the Southeast corner of Lot 31 in the Plat of Poplar Ridge Addition; thence South 89 deg. 33 min. West and parallel to the South line of said Section 6, a distance of 965.70 feet to the Southeast corner of said Lot 31; thence North 00 deg. 00 min. 00 sec. East along the East line of said Plat, a distance of 360.00 feet to the Point of Beginning; and containing 42.207 Acres more or less, subject however to any and all legal easements and rights-of-way of record.

Also: Lots numbered 240, 241,242 and 243 in Westlawn, Section AF@ as recorded in Plat Book 23, Page 119, in the Office of the Recorder of Allen County , Indiana and excluding the right-of-way for Interstate Highway 69 in Township 30 North, Range 11 East.

The boundaries of said territory are those outlined in the location map designated "Poplar Ridge Extended Voluntary Annexation", two copies of which are on file in the office of the Clerk of the City of Fort Wayne and available for public inspection as required by law.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in

standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and storm water drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by way of a separate Resolution adopted contemporaneously with the passage of this Ordinance.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, due legal publication, and the required sixty (60) day remonstrance period, this Ordinance shall be in full force and effect. The above mentioned territory shall become part of the City of Fort Wayne immediately following the sixty day remonstrance period.

Thomas E. Hayhurst
Council Member

Read the third time in full and on motion by Hayhurst, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight

Bender, Crawford, Hall, Hayhurst,
Henry, Lunsey, Ravine, Schmidt

NAYS: None

ABSTAINED: None

ABSENT: One

Edmonds

DATED: 10-22-96

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as No. on the 22nd day of October, 1996.

ATTEST:

Sandra E. Kennedy
City Clerk

SEAL

D.J. Schmidt
Presiding Officer

Attest:

The above and foregoing is a true and perfect copy of Bill No. X-96-10-04
connection Ordinance No. X-02-8C
as the same appears and remains on record in my office.

Witness my hand and seal this 10th

day of

February 1, 1997
Sandra E. Kennedy
CLERK

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1996, at the hour of 10:30 o'clock A.M.,E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 24th day of October, 1996, at the hour of 6:00 o'clock P.M.,E.S.T.

Paul Helmke
Mayor



The City of Fort Wayne

Paul Helmke, Mayor



TO: Natka Eshcoff

FROM: Dan Johnson

RE: Poplar Ridge Extended Voluntary Annexation, Ordinance X-02-96

DATE: February 9, 1999

Per I.C. 36-4-3-22, please note that the annexation above was approved by the Common Council of the City of Fort Wayne on October 22, 1996. The annexation was duly published on November 1, 1996.

THIS ANNEXATION BECAME EFFECTIVE DECEMBER 31, 1996.

If you have any questions concerning this annexation, please contact me at 427-1140 or 427-2138. Thank you.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

October 9, 1996

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of October 12, 1996, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. X-96-10-04
Annexation Ordinance
Poplar Ridge Extended
Voluntary Annexation Area

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

SEK/ne
ENCL:



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

October 29, 1996

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of November 1, 1996, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. X-96-10-04
Annexation Ordinance X-02-96
Poplar Ridge Extended Voluntary Annexation

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 22nd day of October, 1996, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-96-10-04 Annexation
Ordinance No. X-02-96 to-wit:

Bill No. X-96-10-04

1 ANNEXATION ORDINANCE NO. X- 02-96

2
3 AN ORDINANCE annexing certain territory
4 commonly known as the Poplar Ridge Extended
5 Voluntary Annexation Area to Fort Wayne and
6 including the same in Councilmanic District No. 4.

7
8 WHEREAS, a petition for voluntary annexation has been
9 filed with the Common Council; and,

10
11 WHEREAS, said petition has been signed by the owners
12 of more than seventy-five percent (75%) of the total assessed value of the territory
13 for property tax purposes; and,

14 WHEREAS, said land described in petition is located
15 outside of but contiguous to the City of Fort Wayne; and,

16 WHEREAS, the City of Fort Wayne is desirous of
17 annexing said territory, therefore,

18 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
19 FORT WAYNE, INDIANA:

20
21 SECTION 1. That the following described territory be and the same is
22 hereby annexed to, and made a part of, the corporation of the City of Fort Wayne,
23 Indiana, to-wit:

24
25 Beginning at the Northeast corner of the Plat of Poplar Ridge Addition, as recorded in
26 Plat Book 20, Page 52 in the Office of the Recorder; thence South 89 deg. 33 min.
27 West along the North line of Retha Drive as set out in said Plat, a distance of 552.9
feet to the West line of the fractional Southwest Quarter of said Section 6 and being
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(13) 105-1959; thence along said East right-of-way North 22 deg. 19 min. East, a

1 distance of 210.7 feet to a point 180.00 feet normal to station 244+00 Line AA@ on
2 said right-of-way; thence North 16 deg. 49 min. 30 sec. East parallel to and 180 foot
3 distant from said Line AA@, a distance of 400.00 feet to station 248 + 00 Line AA@;
4 thence North 13 deg. 20 min. 30 sec. East along said right-of-way a distance of 93.6
5 feet to the South right-of-way line of the Norfolk & Western Railroad (formerly the
6 New York, Chicago and St. Louis Railroad) as situated 47.7 feet Southerly of and
7 normal to the centerline of the East-bound main track of said railroad; thence North
8 89 deg. 23 min. 40 sec. East along the South line of said railroad, a distance of
9 1691.66 feet (1683.8 feet by Deed) to a point on the North line of the Plat of Poplar
10 Ridge Addition, Second Section as recorded in Plat Book 22, Page 140 at a point
11 situated 100 feet Westerly of the most Northerly corner of lot 79 in said addition;
12 thence South 42 deg. 53 min. West along the Northwesterly boundary of said Plat, a
13 distance of 580.00 feet (545 feet by Plat) to the West line of said addition at a point
14 114 feet Northerly of the Northwest corner of Lot 74 in said Plat; thence South 00
15 deg. 16 min. 00 sec. East along the West line of said addition, a distance of 922.94
16 feet to a point North 89 deg. 33 min. East, a distance of 965.70 feet from the
17 Southeast corner of Lot 31 in the Plat of Poplar Ridge Addition; thence South 89 deg.
18 33 min. West and parallel to the South line of said Section 6, a distance of 965.70
19 feet to the Southeast corner of said Lot 31; thence North 00 deg. 00 min. 00 sec.
20 East along the East line of said Plat, a distance of 360.00 feet to the Point of
21 Beginning; and containing 42.207 Acres more or less, subject however to any and all
22 legal easements and rights-of-way of record.

23 Also: Lots numbered 240, 241,242 and 243 in Westlawn, Section AF@ as recorded
24 in Plat Book 23, Page 119, in the Office of the Recorder of Allen County , Indiana and
25 excluding the right-of-way for Interstate Highway 69 in Township 30 North, Range 11
26 East.

27 The boundaries of said territory are those outlined in
28 the location map designated "Poplar Ridge Extended Voluntary Annexation", two
29 copies of which are on file in the office of the Clerk of the City of Fort Wayne and
available for public inspection as required by law.

30 SECTION 2. That the City of Fort Wayne will furnish the above
31 described territory within a period of one (1) year from the effective date of
32 annexation, planned services of a non-capital nature, including police protection, fire
33 protection, and street and road maintenance, in a manner which is equivalent in
34 standard and scope to those non-capital services provided to areas within the City of
35 Fort Wayne which have similar topography, patterns of land utilization and population
36

density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and storm water drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by way of a separate Resolution adopted contemporaneously with the passage of this Ordinance.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

1 SECTION 5. That, after adoption and any and all necessary approval
2 by the Mayor, due legal publication, and the required sixty (60) day remonstrance
3 period, this Ordinance shall be in full force and effect. The above mentioned territory
4 shall become part of the City of Fort Wayne immediately following the sixty day
5 remonstrance period.

6 *Thomas E. Hayhurst*
7

Council Member
Thomas E. Hayhurst

8
Read the third time in full and on motion by Hayhurst, and duly
adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bender, Crawford, Hall, Hayhurst, Henry,
Lunsey, Ravine, Schmidt

NAYS: None

ABSTAINED: None

ABSENT: One
Edmonds

DATED: 10-22-96

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as Annexation Ordinance No. X-02-96 on the 22nd day of October, 1996.

ATTEST: SEAL

Sandra E. Kennedy
City Clerk

D. J. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 23rd day of October, 1996, at the hour of 10:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 24th day of October, 1996, at the hour
of 6:00 o'clock P.M., E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify
that the above and foregoing is a full, true and complete copy of
Annexation Ordinance No. X-02-96,

passed by the Common Council on the 22nd day of
October, 1996, and that said Ordinance was
duly signed and approved by the Mayor on the 24th day of
October, 1996, and now remains on file and
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne,
Indiana, this 25th day of October, 1996.

SEAL

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

FORT WAYNE COMMON COUNCIL

NOTICE OF A PUBLIC HEARING

ANNEXATION ORDINANCE

BILL NO. X-96-10-04

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, OCTOBER 22, 1996, AT 5:30 P.M., IN THE COMMON COUNCIL CONFERENCE ROOM 128, CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA, CONCERNING THE FOLLOWING

BILL NO. X-96-10-04
(ANNEXATION ORDINANCE)

AN ORDINANCE annexing certain territory commonly known as the Poplar Ridge Extended Voluntary Annexation Area to Fort Wayne and including the same in Councilmanic District # 4

18 SECTION 1. That the following described territory be and the same is
19 hereby annexed to, and made a part of, the corporation of the City of Fort Wayne,
20 Indiana, to-wit:

21 Beginning at the Northeast corner of the Plat of Poplar Ridge Addition, as recorded in
22 Plat Book 20, Page 52 in the Office of the Recorder; thence South 89 deg. 33 min.
23 West along the North line of Retha Drive as set out in said Plat, a distance of 552.9
feet to the West line of the fractional Southwest Quarter of said Section 6 and being
24 also the East line of the Westlawn Addition, Section "F" as recorded in Plat Book 23,
Page 119; thence North 00 deg. 00 min. 00 sec. East, a distance of 313.1 feet (313.9
feet, by Deed) to the East right-of-way line of Interstate Highway 69, I-Project 69-4
(13) 105-1959; thence along said East right-of-way North 22 deg. 19 min. East, a

26
1 distance of 210.7 feet to a point 180.00 feet normal to station 244+00 Line AA@ on
2 said right-of-way; thence North 16 deg. 49 min. 30 sec. East parallel to and 180 foot
3 distant from said Line AA@, a distance of 400.00 feet to station 248 + 00 Line AA@;
4 thence North 13 deg. 20 min. 30 sec. East along said right-of-way a distance of 93.6
feet to the South right-of-way line of the Norfolk & Western Railroad (formerly the
5 New York, Chicago and St. Louis Railroad) as situated 47.7 feet Southerly of and
6 normal to the centerline of the East-bound main track of said railroad; thence North
7 89 deg. 23 min. 40 sec. East along the South line of said railroad, a distance of
8 1691.66 feet (1683.8 feet by Deed) to a point on the North line of the Plat of Poplar
9 Ridge Addition, Second Section as recorded in Plat Book 22, Page 140 at a point
10 situated 100 feet Westerly of the most Northerly corner of lot 79 in said addition;
11 thence South 42 deg. 53 min. West along the Northwesterly boundary of said Plat, a
12 distance of 580.00 feet (545 feet by Plat) to the West line of said addition at a point
13 114 feet Northerly of the Northwest corner of Lot 74 in said Plat; thence South 00
14 deg. 16 min. 00 sec. East along the West line of said addition, a distance of 922.94
feet to a point North 89 deg. 33 min. East, a distance of 965.70 feet from the
15 Southeast corner of Lot 31 in the Plat of Poplar Ridge Addition; thence South 89 deg.
16 33 min. West and parallel to the South line of said Section 6, a distance of 965.70
17 feet to the Southeast corner of said Lot 31; thence North 00 deg. 00 min. 00 sec.
18 East along the East line of said Plat, a distance of 360.00 feet to the Point of
19 Beginning; and containing 42.207 Acres more or less, subject however to any and all
legal easements and rights-of-way of record.

Also: Lots numbered 240, 241, 242 and 243 in Westlawn, Section AF@ as recorded in Plat Book 23, Page 119, in the Office of the Recorder of Allen County, Indiana and excluding the right-of-way for Interstate Highway 69 in Township 30 North, Range 11 East.

15 The boundaries of said territory are those outlined in
16 the location map designated "Poplar Ridge Extended Voluntary Annexation", two
17 copies of which are on file in the office of the Clerk of the City of Fort Wayne and
18 available for public inspection as required by law.

19 THE PUBLIC IS INVITED TO APPEAR BEFORE COMMON COUNCIL AND EXPRESS
THEIR VIEWS.

FORT WAYNE COMMON COUNCIL

SANDRA E. KENNEDY
CITY CLERK

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK

FW COMMON COUNCIL

(Governmental Unit)

ALLEN

County, Indiana

The News-Sentinel

Dr.

To: _____

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM**LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
 -- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

FORT WAYNE COMMON COUNCIL

NOTICE OF A PUBLIC HEARING

ANNEXATION ORDINANCE

BILL NO. X-96-10-04

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, OCTOBER 22, 1996, AT 5:30 P.M., IN THE COMMON COUNCIL CONFERENCE ROOM 128, CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA, CONCERNING THE FOLLOWING

BILL NO. X-96-10-04
(ANNEXATION ORDINANCE)

AN ORDINANCE annexing certain territory commonly known as the Poplar Ridge Extended Voluntary Annexation Area to Fort Wayne and including the same in Councilmanic District # 4

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Beginning at the Northeast corner of the Plat of Poplar Ridge Addition, as recorded in Plat Book 20, Page 52 in the Office of the Recorder; thence South 39 deg. 33 min. West along the North line of Reitha Drive as set out in said Plat, a distance of 552.9 feet to the West line of the fractional Southwest Quarter of said Section 6 and being also the East line of the Westlawn Addition, Section F as recorded in Plat Book 23, Page 119; thence North 00 deg. 00 min. 10 sec. East, a distance of 313.1 feet (313.9 feet, by Deed) to the East right-of-way line of Interstate Highway 69, I-Project 69-4 (13) 105-1959; thence along said East right-of-way North 22 deg. 19 min. East, a distance of 210.7 feet to a point 180.00 feet normal to station 244+00 Line AA @ on said right-of-way; thence North 16 deg. 49 min. 30 sec. East parallel to and 180 foot distant from said Line AA @, a distance of 400.00 feet to station 248 + 00 Line AA @; thence North 13 deg. 20 min. 30 sec. East along said right-of-way a distance of 93.6 feet to the South right-of-way line of the Norfolk & Western Railroad (formerly the New York, Chicago and St. Louis Railroad), as situated 47.7 feet Southerly of and normal to the centerline of the East-bound main track of said railroad; thence North 89 deg. 23 min. 0 sec. East along the South line of said railroad, a distance of 1691.66 feet (1683.8 feet by Deed) to a point on the North line of the Plat of Poplar Ridge Addition, Second Section as recorded in Plat Book 2, Page 140 at a point situated 100 feet Westerly of the most Northerly corner of lot 79 in said addition; thence South 42 deg. 53 min. West along the North-easterly boundary of said Plat, a distance of 580.00 feet (545 feet by Plat) to the West line of said addition at a point 114 feet Northerly of the Northwest corner of Lot 74 in said Plat; thence South 00 deg. 56 min. 00 sec. East along the West line of said addition, a distance of 922.94 feet to a point North 89 deg. 33 min. East, a distance of 965.70 feet from the Southeast corner of Lot 31 in the Plat of Poplar Ridge Addition; thence South 89 deg. 33 min. West and Parallel to the South line of section 6, a distance of 965.70 feet to the Southeast corner of said lot 31; thence North 00 deg. 00 min. 00 sec. East along the East line of said Plat, a distance of 360.00 feet to the point of Beginning; and containing 42.207 Acres ore or less, subject however to any and all legal easements and rights-of-way of record.

columns wide equals 113 equivalent lines\$ 39.10ces containing rule or tabular work
(int)

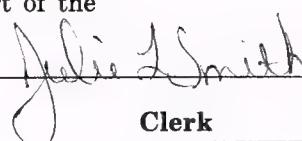
publication (\$1.00 for each proof in excess of two)

1.00

CLAIM**COST**2.5 ems1\$ 40.10

s and penalties of Chapter 155, Acts 1953,

foregoing account is just and correct, that the amount after allowing all just credits, and that no part of the



Clerk

19 96

Title: _____

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L. SMITH who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) ofFort Wayne, IN in state and county aforesaid, and that the printed matter

attached hereto is a true copy, which was duly published in said paper for

FW COMMON COUNCIL
(Governmental Unit)

ALLEN County, Indiana

To: **The Journal-Gazette** Dr.
P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

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Total number of lines in notice

FORT WAYNE COMMON COUNCIL : **ES**

NOTICE OF A PUBLIC HEARING

ANNEXATION ORDINANCE

columns wide equals **113** equivalent lines

BILL NO. X-96-10-04

\$ **39.10**

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THE PUBLIC IS INVITED TO APPEAR BEFORE THE COMMON COUNCIL AND EXPRESS THEIR VIEWS.

FORT WAYNE COMMON COUNCIL

SANDRA E. KENNEDY
CITY CLERK

REASONABLE ACCOMMODATIONS FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND FEDERAL LAW. ANY PERSON NEEDING A REASONABLE ACCOMMODATION SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK
#99729

My commission expires:

ALLEN COUNTY

MY COMMISSION EXP. JUNE 14, 1997

Subscribed and sworn to before me this **12th** day of **OCT**, **96**, 19**96**.

MARY L. SCHNEIDER
NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

FW COMMON COUNCIL
(Governmental Unit)

ALLEN County, Indiana

To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

113 lines, 1 columns wide equals 113 equivalent lines
at .346 cents per line

\$ 39.10

Additional charge for notices containing rule or tabular work
(50 percent of above amount) _____

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) _____

TOTAL AMOUNT OF CLAIM \$ 40.10

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 1
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Julie L Smith

Date: OCT 12, 19 96

Title: _____

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L SMITH who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for

FW COMMON COUNCIL
(Governmental Unit)

ALLEN County, Indiana

To: **The Journal-Gazette** Dr.
P.O. Box 100
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PUBLISHER'S CLAIM

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COMPUTATION OF CHARGES

113 lines, **1** columns wide equals **113** equivalent lines
at **.346** cents per line **\$ 39.10**

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM **\$ 40.10**

DATA FOR COMPUTING COST

Width of single column **12.5** ems

Number of insertions **1**

Size of type **6** point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: **OCT 12**, 19 **96**

Title: **Julie L. Smith** Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned **JULIE L. SMITH** who, being duly sworn, says that he/ he is **Clerk** of the **The Journal-Gazette** newspaper of general circulation printed and published in the English language in the (city) (town) of **Fort Wayne, IN** in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **12** • Hours: Sat. & Sun. time **10-12-1996**, the dates of publication being as follows:

All sales final; cash only

10-12-1996

Subscribed and sworn to before me this **12th** day of **OCT**, 19 **96**.

MARY L. SCHNEIDER
Notary Public

MARY L. SCHNEIDER
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14, 1997

FW COMMON COUNCIL
(Governmental Unit)

ALLEN County, Indiana

To: The News-Sentinel
P.O. Box 100
Fort Wayne, IN

Dr.

PUBLISHER'S CLAIM

LINE COUNT

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Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

206 lines, 1 columns wide equals 206 equivalent lines
at .346 cents per line

\$ 71.28

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 72.28

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

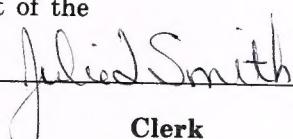
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I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: NOV 1, 19 96

Title:

Clerk



PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

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Notice is hereby given that on the 22nd day of October, 1996, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-96-10-04 Annexation Ordinance No. X-02-96 to-wit:

Bill No. X-96-10-04

ANNEXATION ORDINANCE NO. X-02-96

AN ORDINANCE annexing certain territory commonly known as the Poplar Ridge Extended Voluntary Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

WHEREAS, a petition for voluntary annexation has been filed with the Common Council; and,

WHEREAS, said petition has been signed by the owners of more than seventy-five percent (75%) of the total assessed value of the territory for property tax purposes; and,

WHEREAS, said land described in petition is located outside of but contiguous to the City of Fort Wayne; and,

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Beginning at the Northeast corner of the Plat of Poplar Ridge Addition, as recorded in Plat Book 20, Page 52 in the Office of the Recorder, thence South 89 deg. 33 min. West along the North line of Retha Drive as set out in said Plat, a distance of 552.9 feet to the West line of the fractional Southwest Quarter of said Section 6 and being also the East line of the Westlawn Addition, Section F, as recorded in Plat Book 23, Page 119; thence North 00 deg. 00 min. 00 sec. East a distance of 313.1 feet (313.9 feet by Deed) to the East right-of-way line of Interstate Highway 69, I-Project 69-4 (13) 105-1959; thence along said East right-of-way North 22 deg. 19 min. East, a distance of 210.7 feet to a point 180.00 feet normal to station 244+00 Line AA@ on said right-of-way; thence North 16 deg. 49 min. 30 sec. East parallel to and 180 foot distant from said Line AA@, a distance of 400.00 feet to station 248+00 Line AA@; thence North 13 deg. 20 min. 30 sec. East along said right-of-way a distance of 93.6 feet to the South right-of-way line of the Norfolk & Western Railroad (formerly the New York, Chicago and St. Louis Railroad) as situated 47.7 feet Southerly of and normal to the centerline of the East-bound main track of said railroad; thence North 89 deg. 23 min. 40 sec. East along the South line of said railroad, a distance of 1691.66 feet (1683.8 feet by Deed) to a point on the North line of the Plat of Poplar Ridge Addition, Second Section as recorded in Plat Book 22, Page 140 at a point situated 100 feet Westerly of the most Northerly corner of lot 79 in said addition; thence South 42 deg. 53 min. West along the Northwesterly boundary of said Plat, a distance of 580.00 feet (545 feet by Plat) to the West line of said addition at a point 114 feet Northerly of the Northwest corner of Lot 74 in said Plat; thence South 00 deg. 16 min. 00 sec. East along the West line of said addition, a distance of 922.94 feet to a point North 89 deg. 33 min. East; a distance of 985.70 feet from the Southeast corner of Lot 31 in the Plat of Poplar Ridge Addition; thence South 89 deg. 33 min. West and parallel to the South line of said Section 6, a distance of 965.70 feet to the Southeast corner of said Lot 31; thence North 00 deg. 00 min. 00 sec. East along the East line of said Plat, a distance of 360.00 feet to the Point of Beginning; and containing 42.207 Acres more or less, subject however to any and all legal easements and rights-of-way of record. Also: Lots numbered 240, 241, 242 and 243 in Westlawn, Section AF@ as recorded in Plat Book 23, Page 119, in the Office of the Recorder of Allen County, Indiana and excluding the right-of-way for Interstate Highway 69 in Township 30 North, Range 11 East.

The boundaries of said territory are those outlined in the location map designated Poplar Ridge Extended Voluntary Annexation, two copies of which are on file in the office of the Clerk of the City of Fort Wayne and available for public inspection as required by law.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and storm water drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by way of a separate Resolution adopted contemporaneously with the passage of this Ordinance.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistribution pursuant to 1. C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, due legal publication, and the required sixty (60) day remonstrance period, this Ordinance shall be in full force and effect. The above mentioned territory shall become part of the City of Fort Wayne immediately following the sixty day remonstrance period.

Council Member
Thomas E. Hayhurst

Read the third time in full and on motion by Hayhurst, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bender, Crawford, Hall, Hayhurst, Henry, Lunsey, Ravine, Schmidt

NAYS: None

ABSTAINED: None

ABSENT: One

Edmonds

DATED: 10-22-96

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-02-96 on the 22nd day of October, 1996.

ATTEST:
Sandra E. Kennedy
City Clerk
D. J. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1996, at the hour of 10:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 24th day of October, 1996, at the hour of 6:00 o'clock P.M., E.S.T.

Paul Helmke
Mayor

The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Ordinance No. X-02-96, passed by the Common Council on the 22nd day of October, 1996, and that said Ordinance was duly signed and approved by the Mayor on the 24th day of October, 1996, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of October, 1996.

Sandra E. Kennedy

General Form No. 99P (Revised 1987)

To: The Journal-Gazette Dr.
P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

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which the body of the advertisement is set)

is wide equals 205 equivalent lines

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claiming rule or tabular work

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claim (\$1.00 for each proof in excess of two)

\$ 72.28

Penalties of Chapter 155, Acts 1953,

ing account is just and correct, that the amount
owing all just credits, and that no part of the

Julie L. Smith

19 96

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the
designated JULIE L. SMITH who, being duly sworn, says that he/
she is Clerk of the The Journal-Gazette newspaper of general
circulation printed and published in the English language in the (city) (town) of
Fort Wayne, IN in state and county aforesaid, and that the printed matter
attached hereto is a true copy, which was duly published in said paper for
1 time _____, the dates of publication being as follows:

11-1-96

Julie L. Smith

Subscribed and sworn to before me this 1st day of NOV, 19 96.

Mary L. Schneider
Notary Public
MARY L SCHNEIDER
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY

My commission expires:

FW COMMON COUNCIL

(Governmental Unit)

ALLEN

County, Indiana

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM

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206 lines, 1 columns wide equals 206 equivalent lines
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Additional charge for notices containing rule or tabular work
 (50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 72.28

DATA FOR COMPUTING COST

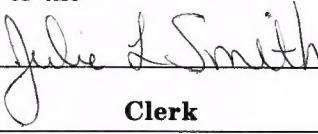
Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.



Date: NOV 1, 1996

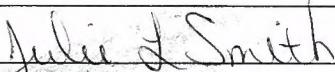
Title: Clerk

PUBLISHER'S AFFIDAVIT

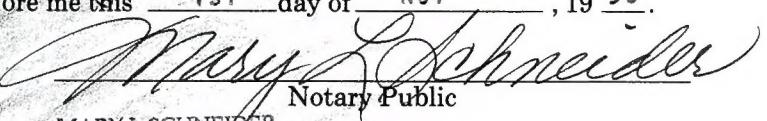
State of Indiana)
) ss:
 Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L SMITH who, being duly sworn, says that he is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time , the dates of publication being as follows:

11-1-96



Subscribed and sworn to before me this 1st day of NOV 1996.


 Notary Public

MARY L SCHNEIDER

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

MY COMMISSION EXP JUNE 14, 1997